

On May 12, 1939, the United States attorney for the District of Nevada, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 30 bags of rye flour and 14 bags of soybean flour at Reno, Nev.; alleging that the articles had been shipped in part on or about May 10, 1938, from Ogden, Utah, by Globe Grain & Milling Co., and in part on or about November 2 and December 8, 1938, and March 31 and April 21, 1939, from San Francisco, Calif., by Coast Dakota Flour Co.; and charging adulteration in violation of the Food and Drugs Act. The articles were labeled in part: "Pillsbury's Artex Dark Rye Flour Pillsbury Flour Mills Company Minneapolis, Minn." or "Genuine Special Soya Blended Flour."

They were alleged to be adulterated in that they consisted in whole or in part of filthy vegetable substances since they were insect-infected.

On June 22, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30679. Adulteration of frozen fish. U. S. v. 205 Boxes and 56 Boxes of Frozen Pollack Fillets. Default decree of condemnation and destruction. (F. & D. Nos. 45348, 45349. Sample Nos. 62704-D, 62705-D.)

This product had been shipped in interstate commerce and remained unsold and in the original packages. At the time of examination it was in whole or in part decomposed.

On or about May 15, 1939, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 261 boxes of frozen fish at Houston, Tex.; alleging that the article had been shipped on or about April 22, 1939, by O'Donnell-Usen Fisheries from Boston, Mass.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "Fish of the Day Ocean Fillets."

It was alleged to be adulterated in that it consisted wholly or in part of a decomposed animal substance.

On June 24, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30680. Adulteration of crab meat. U. S. v. 1,095 Pounds of Crab Meat. Default decree of condemnation and destruction. (F. & D. No. 45503. Sample No. 62780-D.)

This product contained evidence of the presence of filth.

On June 8, 1939, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 695 pounds of straight picked crab meat and 400 pounds of claw crab meat at Baltimore, Md.; alleging that the article had been shipped in interstate commerce on or about June 5, 1939, from Harvey, La., by Ed Martin Sea Food Co.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy animal substance.

On June 30, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30681. Adulteration of canned tomato paste. U. S. v. Eight Cases of Tomato Paste. Default decree of condemnation and destruction. (F. & D. No. 43627. Sample No. 24090-D.)

This product contained excessive mold.

On September 8, 1938, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of eight cases of canned tomato paste at Columbus, Ohio; alleging that the article had been shipped in interstate commerce on or about July 30, 1938, from Fredonia, N. Y., by Fredonia Salsina Canning Co., Inc.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Sky Lark Brand Tomato Paste."

It was alleged to be adulterated in that it consisted wholly or in part of a decomposed and filthy vegetable substance.

On May 4, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30682. Adulteration of butter. U. S. v. Spring Valley Butter Co. Plea of guilty. Fine, \$75. (F. & D. No. 42691. Sample Nos. 27119-D, 44769-D, 44781-D, 44787-D.)

This product contained less than 80 percent of milk fat.

On April 29, 1939, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Spring Valley Butter Co., a corporation having a place of business at Houston, Tex., alleging shipment by said defendant in violation of the Food and Drugs Act, on or about October 29 and November 19, 1938, from the State of Texas into the State of New York, of quantities of butter which was adulterated.

The article was alleged to be adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent by weight of milk fat, as prescribed by act of March 4, 1923.

On June 24, 1939, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$75.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30683. Adulteration of canned spinach. U. S. v. 24 Cases of Spinach. Default decree of condemnation and destruction. (F. & D. No. 45240. Sample No. 57529-D.)

Examination of this product showed that it contained insect larvae and fragments.

On April 27, 1939, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 24 cases of canned spinach at Portland, Oreg.; alleging that the article had been shipped in interstate commerce on or about February 23, 1939, by the Larsen Co. from Green Bay, Wis.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Can) "Red & White Strained Spinach * * * Red & White Corp'n. Distributors, Chicago, Ill."

It was alleged to be adulterated in that it consisted wholly or in part of a filthy vegetable substance.

On June 20, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30684. Adulteration of canned frozen whole eggs. U. S. v. 1,000 Cans of Frozen Whole Eggs. Consent decree of condemnation. Product ordered released under bond. (F. & D. No. 45229. Sample No. 43540-D.)

This product had been shipped in interstate commerce and remained unsold and in the original packages. At the time of examination it was found to be in part decomposed.

On April 22, 1939, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,000 cans of frozen whole eggs at Oakland, Calif.; alleging that the article had been shipped on or about April 14, 1939, from Fort Worth, Tex., by Merchants Cold Storage Co., Inc.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted wholly or in part of a decomposed and putrid animal substance.

On May 16, 1939, Swift & Co. having appeared as claimant and having consented to the entry of a decree, judgment of condemnation was entered. The product was taken down under bond, conditioned that the good portion be segregated from the bad and that the former only be released.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30685. Adulteration of frozen fish. U. S. v. 932 Boxes and 375 Boxes of Red Perch Fillets. Consent decree of condemnation. Product ordered released under bond conditioned that unfit portion be destroyed. (F. & D. Nos. 44931, 44957. Sample Nos. 54332-D, 54350-D.)

This product was in part infested with parasitic worms.

On March 2 and 7, 1939, the United States attorney for the Northern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in the